

Attorney Docket No.

Patent 016921-212

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Christine A. FRANKE et al.

Group Art Unit:

Application No.: 10/698,439

Examiner:

Filing Date:

Sir:

November 3, 2003

Confirmation No.:

Title: NEW INTERGENIC AND INTRAGENATION FOR FOREIGN GENE EXPRESSION IN RECOMBINANT

S. GORDINII STRAINS

## FIRST INFORMATION DISCLOSURE STATEMENT TRANSMITTAL LETTER

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

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	that		by this pape				C.F.R. §§ 1.16, 1.17 and sit Account No. 02-4800	
				R	esp	ectfully submitted,		
				В	URI	NS, DOANE SWECK	ER & MATHIS, L.L.P.	
Alex	andr	: 1404 ria, Virginia 2231 3-6620	3-1404	В	у _			
Date		April 23, 2004				Teresa Stanek Rea	107	



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#### FIRST INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure as set forth in 37 C.F.R. § 1.56, the accompanying information is being submitted in accordance with 37 C.F.R. §§ 1.97 and 1.98.

Pursuant to 37 C.F.R. § 1.98, a copy of each of the documents cited is enclosed.

The documents are being submitted within three (3) months of the filing or entry of the national stage of this application or before the first Office Action on the merits, whichever is later. Since these documents are being filed within the time period set forth in 37 C.F.R. § 1.97(b), no fee or statement is required.

I, the undersigned, hereby state that no item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonably inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three (3) months prior to the filing of this Information Disclosure Statement.

FIRST Information Disclosure Statement Application No. 10/698,439 Attorney's Docket No. 016921-212 Page 2

To assist the Examiner, the documents are listed on the attached form PTO-1449. It is respectfully requested that an Examiner initialed copy of this form be returned to the undersigned.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date April 23, 2004

By: Teresa Stanek Rea
Registration No. 30,427

P.O. Box 1404 Alexandria, Virginia 22313-1404 (703) 836-6620

# FIRST Application INFORMATION DISCLOSURE STATEMENT BY APPLICANT First Name

Substitute for form 1449A/PTO & 1449B/PTO

Complete if Known

Application Number 10/698,439

Filing Date November 3, 2003

First Named Inventor Christine A. FRANKE et al.

Examiner Name

Attorney Docket Number 016921-212

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APR 2 3 2004			U.S. PATENT DOCUMENTS			
Examiner Similals	Number (if known)		Name of Patentee or Applicant of Cited Document	Issue/Publication Date (MM-DD-YYYY)		
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FOREIGN PATENT DOCUMENTS						
Examiner	Document	Kind Code	Country	Date of Publication	Translation	
Initials	Number	(if known)	Country	(MM-DD-YYYY)	Yes	No
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NON-PATENT LITERATURE DOCUMENTS					
Examiner Initials	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.				
	M.R. OGGIONI et al., "A host-vector system for heterologous gene expression in <i>Streptococcus gordonii</i> ", <i>Gene</i> , Vol. 169, No. 1, (1996), pp. 85-90				
	K. KANATANI et al., "Characterization of a small cryptic plasmid, pLA105, from Lactobacillus acidophilus TK8912," J. of Fermentation and Bioengineering, Vol. 80, No. 4, 1995, pp. 394-399				
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	C. FRANKE et al., "Studies on the genomic organization of recombinant Streptococcus gordonii and the development of a novel intergenic", J. of Mol. Microbiol. Biotechnol., Vol. 3, No. 4, 2001, pp. 545-555				
	C.J. WHITAKER et al., "Insertional inactivation of an intrageneric coaggregation-relevant adhesion locus from Streptococcus gordonii DL1", <i>Infection and Immunity</i> , Vol. 64, No. 10, 1996, pp. 4137-4142				
	G. POZZI et al., "Expression of M6 protein gene of Streptococcus pyogenes in Streptococcus gordonii after chromosal integration and transcriptional", Res. Microbiology, Vol. 143, No. 5, 1992, pp. 449-457				
	T. SHIROZA et al., "Application of the resident plasmid integration technique to construct a strain of Streptococcus gordonii able to express the Bacillus circulans", Gene, Vol. 207, No. 2, 1998, pp. 119-126				
	T.C. BOLKEN et al., "Identification of an intragenic integration stie for foreign gene expression in recombinant Streptococcus gordonii strains," <i>Applied Microbiology and Biotechnology</i> , Vol. 55, No. 2, 2001, pp. 192-197				

Examiner	Date	
Signature	Considered	

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with M.P.E.P. § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.